

BASIS FOR THE AMENDMENT

The claims have been amended as supported by the claims and specification as originally filed.

No new matter is believed to have been added by entry of this amendment. Entry and favorable reconsideration are respectfully requested.

Upon entry of this amendment Claims 1-19 will now be active in this application. Claims 4 and 5 are withdrawn from consideration.

INTERVIEW SUMMARY

Applicants wish to thank Examiner Lightfoot for the helpful and courteous discussion with Applicants' Representative on November 18, 2009. The Examiner indicated that the proposed amendments to components i) and ii) of claim 1 would overcome the outstanding rejections of the claims as failing to comply with the written description requirement and as being indefinite. It was discussed to delete component ii) in Claim 1 and to claim "a fluorosilane or an oligomer of fluorosilane".

The rejections over Baumann et al. (WO 01/74739) as well as over Nun in view of Baumann et al were discussed. It was mentioned to distinguish over the Baumann reference by claiming that the substrate is a textile as supported at page 3, line 23 of the specification.

REMARKS

Applicants respectfully request reconsideration of the application, as amended, in view of the following remarks.

The rejections of Claims 1-3 and 6-19 under 35 U.S.C. § 112, 1st and 2nd paragraph, are obviated by the amendment of the claims.

The present invention as set forth in **amended Claim 1** relates to a method for producing a surface,

the method comprising:

fixing microparticles to a carrier layer or a substrate either before or after hydrophobizing of said microparticles;

hydrophobizing said microparticles with component i):

i) a fluorosilane or an oligomer of a fluorosilane,

to form a resulting surface having a surface structure,

the surface structure having elevations which are formed by said microparticles,

said elevations having a mean height of from 20 nm to 25 μm and a mean separation of from 20 nm to 25 μm ,

the microparticles having a particle diameter of from 0.02 to 100 μm and having been hydrophobized with component i);

the resulting surface having self-cleaning, oleophobic, lipophobic and lactophobic properties;

wherein said substrate is a textile.

Baumann et al. (WO 01/74739) as well as Nun in view of Baumann et al fail to disclose or suggest a method as claimed in which the substrate is a textile.

Further, the limitations of **Claims 6-19** are not disclosed or suggested by Baumann et al. (WO 01/74739) or Nun in view of Baumann et al.

Therefore, the rejections of Claims 1-3 and 6-19 under 35 U.S.C. § 103(a) over Baumann et al. (WO 01/74739) as well as over Nun in view of Baumann et al are believed to be unsustainable as the present invention is neither anticipated nor obvious and withdrawal of these rejections is respectfully requested.

Claims 4 and 5 depend directly or indirectly on Claim 1 and should be rejoined once Claim 1 is allowable over the prior art of record.

This application presents allowable subject matter, and the Examiner is kindly requested to pass it to issue. Should the Examiner have any questions regarding the claims or otherwise wish to discuss this case, he is kindly invited to contact Applicants' below-signed representative, who would be happy to provide any assistance deemed necessary in speeding this application to allowance.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Kirsten A. Gruenberg, Ph.D.
Registration No.: 47,297

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
NFO:KAG:
(OSMMN 08/07)